

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

In re: MIRAPEX PRODUCTS LIABILITY )	MDL No. 07-1836 (JMR/FLN)
LITIGATION )	
_____ )	
)	Pre-Trial Order No. 3
This Documents Relates to "All Actions" )	
_____ )	

**PRE-TRIAL ORDER NO. 3**

**(Defendants' Fact Sheets)**

This Order governs the form and schedule for service of defendants' Fact Sheets to be completed by Boehringer Ingelheim Pharmaceuticals, Inc., et al. and Pfizer, Inc., et al.

1. Boehringer Ingelheim Pharmaceuticals, Inc., et al. and Pfizer, Inc., et al. will serve upon plaintiff's counsel of record as identified in the Plaintiff's Fact Sheet, a hard copy of a completed and verified Defendants' Profile Form in the form set forth in Attachment "A". An electronic copy of the Defendants' Fact Sheets shall also be served on plaintiff's liaison counsel.

2. Defendants shall each provide a completed and verified Defendants' Fact Sheet within ninety (90) days after its receipt of a completed and verified Plaintiff's Fact Sheet. If defendants fail to provide a complete and verified Defendants' Fact Sheet within that time, they shall be given notice by email or fax from plaintiff's liaison counsel and/or plaintiff's counsel of record and shall be given an additional thirty (30) days to cure the deficiencies.

3. In the event that a substantial, unanticipated number of complaints are filed and Defendants cannot comply with their Fact Sheet Obligations, Defense Liaison Counsel Shall contact Plaintiff's Liaison Counsel to meet and confer in regards to the need to modify this order.

4. Defendants' responses on a Defendants' Fact Sheet shall be treated as answers to interrogatories under Federal Rule of Civil Procedure 33 and responses to request for production of documents under Federal Rule of Civil Procedure 34 and shall be supplemented in accordance with Federal Rule of Civil Procedure 26. Plaintiff's use of the Defendants' Fact Sheets shall be without prejudice to the right of the plaintiffs in a specific case to serve additional discovery.

This Order shall be posted on the Court's website for MDL 1836 located at [www.mnd.uscourts.gov](http://www.mnd.uscourts.gov). Counsel unable to access the Court's website for MDL 1836 may contact the Clerk of Court for information on obtaining a copy of this Order.

Dated: September 5, 2007

s/ Franklin L. Noel  
Magistrate Judge Franklin L. Noel

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: Mirapex Products Liability Litigation

MDL No. 1836

This Document Relates to All Actions

**DEFENDANTS' FACT SHEET**

For each Plaintiff from whom it has received a completed and verified Plaintiff Fact Sheet ("PFS") and signed authorizations thereto, Defendants must complete this Defendants' Fact Sheet ("DFS"). Defendants shall serve a DFS within Ninety (90) days after receipt of a PFS and the signed authorizations. The DFS must be answered and served in accordance with the Pretrial Schedule ordered by the Court. Defendants should attach additional sheets of paper if that is necessary to completely answer the following questions.

**I. CASE INFORMATION**

This Defendant Fact Sheet pertains to the following case:

Case caption: \_\_\_\_\_

Civil Action No.: \_\_\_\_\_

Court in which action was originally filed: \_\_\_\_\_

Name and address of all person(s) who provide information responsive to the questions posed in this Fact Sheet:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**II. CONTACTS WITH PRESCRIBING AND/OR TREATING HEALTH CARE PROFESSIONALS**

In Plaintiff's Fact Sheet, Plaintiff identified persons who prescribed Mirapex to Plaintiff, non-prescribing neurologists that treated Plaintiff for Parkinson's Disease and/or physicians that treated Plaintiff for Restless Leg Syndrome (hereinafter "Prescribers and Treeters"). For each such health care professional, provide the following:

- A. Identify every sales representative of any defendant responsible for the health care professional's account between 1994 and the present, and provide the following information regarding Mirapex sales visits:

Rep Name	Health Care Professional's Name	Health Care Professional's Address	Interaction Date	Interaction type (i.e., call, sample, detail)	Were samples provided? (yes/no)	Interaction Notes

- B. Identify and attach any promotional or informational materials provided to the health care professional named in response to A above.
- C. For each visit identified above where samples were provided, state the number of sample packages provided, the quantity of pills in each package, the dosages and the lot numbers:

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- D. For every shipment of samples made to any of Plaintiff's Prescribers and Treaters (i.e., not left with the health care professional at the time of a sales representative visit), provide the number of sample packages provided, the quantity of pills in each package, the dosages, the lot numbers, the dates of shipment, and identify all informational or promotional documents accompanying each shipment.:

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- E. Describe, by date, item, purpose and amount or value, every payment, honoraria, grant, Speaker Bureau fee, Advisory Board Fee or other fee made, directly or indirectly, to Plaintiff's Prescribers and Treaters in connection with Mirapex, dopamine agonists or movement disorders:

[illegible]

- F. Describe by date, item and value all non-cash remuneration or incentives, including food and entertainment, provided by any defendant to each of Plaintiff's Prescribers and Treaters:

Health Care Professional's Name	Health Care Professional's Address	Date	Item description (i.e., lunch, theater tickets)	Value

- G. Describe by date, title, and location, each symposium sponsored by defendants that was attended by each of Plaintiff's Prescribers and Treaters:

Health Care Professional's Name	Health Care Professional's Address	Symposium Dates	Symposium Title and Location

- H. Describe the current relationship, if any, between defendants and each sales representative identified in response to A above:

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- I. Describe each and every contact between Plaintiff's Prescribers and Treaters and any defendant, or persons working on their behalf, regarding Mirapex, Mirapex and any compulsive behavior, gambling, increased sexual desire, increased spending or other impulsive control disorder, dopamine agonists and/or dopamine agonists and compulsive behavior or impulse control disorders:

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- J. For every contact identified in response to I above, identify and attach any document which refers to such communication with Plaintiff's Prescribers and Treaters .

- K. For each of Plaintiff's Prescribers and Treaters, state whether, from 1990 to the present, they have ever been a member of any defendant's Speakers Bureau, or similar program (regardless of issue), or have consulted with any defendant on any issue, or have been a part of any clinical investigation or other study regarding Mirapex, Mirapex side effects, Mirapex and compulsive behavior or impulsive control disorders, dopamine agonists and/or dopamine agonists and compulsive behavior or impulse control disorders involving any defendant, and, if so, state the dates of all such activity:

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**III. CONTACTS WITH PLAINTIFF**

- A. Have you been contacted by Plaintiff, any of Plaintiff's Prescribers and Treaters, or anyone on behalf of Plaintiff, regarding Plaintiff's use of Mirapex?

☐ Yes ☐ No

If your answer is "yes," please (a) state the name of the person(s) who contacted you, (b) state the person(s) who was contacted including their name, address and telephone number and, (c) produce or identify any and all documents which reflect a communication with any person and you concerning Plaintiff.

- B. Please produce a copy of any MedWatch form regarding Plaintiff's use of Mirapex, including any backup documentation concerning Plaintiff and any evaluation you did concerning the Plaintiff.

**IV. DOCUMENTS**

Produce a copy of all documents and things that fall into the categories listed below. These include documents in your possession or in possession of any of your present and former employees, agents or associates, including information provided to your attorneys:

1. Any documents sent to, received by, any of Plaintiff's Prescribers and Treaters regarding Mirapex;
2. Any document which purports to describe the Mirapex prescribing practice of any of Plaintiff's Prescribers and Treaters;
3. Any MedWatch, report concerning Plaintiff;
4. Any report filed with the FDA regarding Plaintiff;
5. Any Health Risk Assessment Report and event or incident investigation file concerning Plaintiff;
6. Any document containing information about contracts with Plaintiff's Prescribers and Treaters including, but not limited to, any "sales call notes," or key opinion agreements;
7. Any document containing information about or relating to clinical trial, speaking or teaching activities of Plaintiff's Prescribers or Treaters regarding Mirapex, Mirapex side effects, Mirapex causing compulsive behavior or impulsive control disorders, dopamine agonists and/or dopamine agonists causing compulsive behavior or impulse control disorders;



8. Any other document that relates to or refers to Plaintiff.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Name